

Notice of Allowability

Application No.

10/688,488

Examiner

Tam Nguyen

Applicant(s)

KRUL ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment received 12-20-06.
2. ☒ The allowed claim(s) is/are 1.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f):
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 1-3-07.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Floyd E. Ivey on January 3, 2007.

1. The application has been amended as follows:

In the Specification:

On Page 3, on lines 12-13, 20, 22 and 27, in each instance delete "rear "T" frame left end (188)" and insert --rear "T" frame left end (190)--

On Page 8, on line 10, delete "the right swing arm (430)" and insert --the left swing arm (430)--

On Page 12, on lines 17-18, delete "disk sharpened" and insert --disk shaped--

On Page 12, on line 19, delete "a" before "the"

On Page 14, on line 24, delete "a left foot pad first end (515)" and insert --a left foot pad first end (545)--

On Page 14, on line 25, delete "a left foot pad second end (520)" and insert --a left foot pad second end (550)--

On Page 14, on line 25, delete "a left foot pad center (525)" and insert --a left foot pad center (555)--

On Page 14, on line 26, delete "a right foot pad second end (550)" and insert --a right

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foot pad second end (520)--

On Page 15, in line 7, delete "3g4"

In the claims:

In claim 1, in part c., on line 2, delete "at the rear axle" and insert --proximal to the rear axle--

In claim 1, in part g., on line 11, delete "right end (44)" and insert --right end (460)--

In claim 1, in part h., on line 2, delete "left foot pad first end (515)" and insert --left foot pad first end (545)--

In claim 1, in part h., on lines 2-3, delete "left foot pad second end (520)" and insert --left foot pad second end (550)--

In claim 1, in part h., on line 3, delete "left foot pad center (525)" and insert --left foot pad center (555)--

In claim 1, in part h., on line 4, delete "right foot pad second end (550)" and insert --right foot pad second end (520)--

In claim 1, in part h., on lines 6-7, delete "receive bushing and shaft receiving means" and insert --receive a corresponding bushing and shaft--

In Claim 1, in part n., on line 5, delete "a a vertical" and insert --a vertical--

In claim 1, in part r, on lines 2 and 3, delete "left bearing mount (190)" and insert --left bearing mount (191)--

In Claim 1, in part t., on line 1, delete "he left" and insert --the left--

Drawings

2. The reference number of "6000" to designate the brake means in Fig. 1 should be changed to --600-- to correspond to the specification.

3. The amended drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: right lower section (445), left middle swing arm adjustment aperture (422), left lower swing arm upper end (426), left lower swing arm lower end (428), right lower swing arm lower end (448), cable shield means (495), right foot pad first end (545) and right foot pad center (555). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

REASONS FOR ALLOWANCE

4. The following is an examiner's statement of reasons for allowance:

In view of the amendments and after further consideration of the invention, the claims as presented avoid the prior art of record. The prior art does not disclose a quad cycle having a steering and propulsion means that includes and upright swing assembly

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with swing arms and foot pads that are pivoted forward and backward in a first plane to propel the quad cycle wherein a top portion of the swing arms are rotated from side to side in a second plane normal to the first plane to steer the front wheels of the cycle. In particular, each swing arm includes a master hub having a pair of steering cables attached thereto and to a respective steering hub such that lateral rotation of the master hub causes the steering cables to exert rotational forces at the respective steering hubs.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tam Nguyen whose telephone number is 571-272-4979. The examiner can normally be reached on M-F 9-5.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jackie Ho can be reached on 571-272-4696. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

January 4, 2007

Tam Jaeger


(JACKIE) TAN-UYEN HO
PRIMARY EXAMINER
1/8/07